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Patent Application
Attorney Docket No. 43225.44376AUS2**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Chaudhary, et al.

Serial No.: 10/037,363

Filed: January 4, 2002

Title: Acoustical Insulation Foams

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Examiner:

Art Unit: 1711

Commissioner for Patents
Washington, DC 20231

Dear Sir:

| | |
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| CERTIFICATE OF MAILING 37 C.F.R. §1.8(a) | |
| Date of Deposit: | 12/30/02 |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail on the Date of Deposit indicated above, and in an envelope addressed to: Commissioner for Patent, Washington, DC 20231. | |
| Typed or Printed Name: | GUSEN LANDRY |
| Signature: | Gusen Landry |

RESPONSE TO NOTICE OF OMITTED ITEMS AND PRELIMINARY AMENDMENT**AMENDMENTS****In the Specification:**

After page 44 and before page 46, please insert page 45, herewith attached as Appendix A.

REMARKS

In response to the Notice of Omitted Items in a Nonprovisional Application, mailed April 5, 2002, this preliminary amendment is being filed. The Applicants have chosen not to take action pursuant to options (I), (II) or (III) of the enclosed Notice of Omitted Items because the above-identified application is a division of prior application serial number 09/488,220 filed on January 19, 2000. The transmittal letter of the present application identified and specifically incorporated by reference the entire contents of the prior application serial number 09,488,220 filed January 19, 2000 (now U. S. Patent No. 6,187,232). The missing page 45 in the present application can be found on

page 45 of the original application serial number 09/488,220 and is thus incorporated by reference in the present application, which thus provides the basis for the present amendment. Attached hereto as Appendix A is missing page 45 and Applicants respectfully request that it be included in the specification of the present application. Also included, in Appendix B is a copy of the transmittal letter of the present application showing the incorporation by reference.

CONCLUSION

The Applicants believe that all the pending claims are now in condition for allowance and respectfully request that the Examiner grant such an action. If any questions or issues remain in the resolution of which the Examiner feels will be advanced by a conference with the Applicants' attorney, the Examiner is invited to contact the attorney at the number noted below. Should there be any additional fees required, please charge such additional fees to Deposit Account 10-0447, reference 43225.44376AUS2 (Bai).

Respectfully submitted,

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Table 1. Preparation Conditions for ESI's 1-7

| ESI # | Reactor Temp °C | Solvent Flow lb/hr | Ethylene Flow lb/hr | Hydrogen Flow sccm | Styrene Flow lb/hr | Ethylene Conversion % | B/Ti Mol Ratio | MMAO ^d /Ti Mol Ratio | Catalyst | Co-Catalyst |
|-------|-----------------|--------------------|---------------------|--------------------|--------------------|-----------------------|----------------|---------------------------------|----------------|----------------|
| ESI-1 | 93.0 | 37.9 | 3.1 | 13.5 | 6.9 | 96.21 | 2.99 | 7.0 | A ^a | C ^c |
| ESI-2 | 79.0 | 31.3 | 1.74 | 4.3 | 13.5 | 95.1 | 3.51 | 9.0 | A ^a | C ^c |
| ESI-3 | 88.0 | 590 | 55 | 250 | 133 | 94.0 | 3.50 | 4.9 | B ^b | C ^c |
| ESI-4 | 83.0 | 445 | 43 | 235 | 91 | 94.0 | 6.00 | 16.0 | B ^b | C ^c |
| ESI-5 | 61.0 | 386 | 20 | 0 | 100 | 88 | 3.50 | 2.5 | B ^b | C ^c |
| ESI-6 | 87.0 | 800 | 83 | 569 | 197 | 93.0 | 4.00 | 6.0 | B ^b | C ^c |
| ESI-7 | 81.0 | 799 | 65 | 500 | 247 | 95 | 3.70 | 6.0 | B ^b | C ^c |

*N/A = not available

a Catalyst A is dimethyl[N-(1,1-dimethylethyl)-1,1-dimethyl-1-((1,2,3,4,5-η)-1,5,6,7-tetrahydro-3-phenyl-s-indacen-1-yl)silanaminato(2-)-N]-titanium.

b Catalyst B is (1H-cyclopenta[1]phenanthrene-2-yl)dimethyl((i-butylamido)-silaletitanium 1,4-diphenylbutadiene)

c Cocatalyst C is tris(pentafluorophenyl)borane, (CAS# 001109-15-5).

d a modified methylaluminoxane commercially available from Akzo Nobel as MMAO-3A (CAS# 146905-79-5)



APPENDIX B